

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PUGET SOUNDKEEPER ALLIANCE, *et al.*,

Plaintiffs,

v.

ANDREW WHEELER, *et al.*,

Defendants.

CASE NO. C20-0950-JCC

ORDER

This matter comes before the Court on Defendant-Intervenors’ unopposed motion to dismiss Defendant-Intervenor Edison Electric Institute from this action (Dkt. No. 45) and the parties’ stipulated motion to stay the proceedings (Dkt. No. 46).

Plaintiffs Puget Soundkeeper Alliance, the Sierra Club, the Idaho Conservation League, and Mi Familia Vota bring claims against the Environmental Protection Agency and the Army Corps of Engineers challenging two successive rules defining “waters of the United States” in the Clean Water Act. (*See generally* Dkt. No. 40.) Third-party Patagonia Works’ motion to intervene on behalf of Plaintiffs (Dkt. No. 21) and Defendants’ motion to consolidate this action with *Washington Cattlemen’s Association v. United States Environmental Protection Agency*, C19-0569-JCC, Dkt. No. 87 (W.D. Wash. 2019), are pending.

The parties now ask the Court to stay the proceedings because President Biden issued an Executive Order on January 20, 2021, pursuant to which Defendants are reviewing the rule at

1 issue in this case. (Dkt. No. 46 at 3.) The parties wish to stay the proceedings until May 1, 2021
2 to give the appropriate officials adequate time to review the challenged rule and determine
3 whether it will be maintained, modified, or otherwise reconsidered. (*Id.*) The parties contend that
4 a stay will promote judicial economy and conserve the parties' resources. (*Id.*) Defendant-
5 Intervenor also ask the Court to dismiss Intervenor-Defendant Edison Electric Institute from the
6 action. (Dkt. No. 45.) Neither Plaintiffs nor Defendants have filed an opposition to Defendant-
7 Intervenor's motion.

8 Having thoroughly considered the motions and the relevant record, and finding good
9 cause, the Court GRANTS the motions (Dkt. Nos. 45, 46) and ORDERS:

- 10 1. Intervenor-Defendant Edison Electric Institute is DISMISSED from this matter
11 without prejudice.
- 12 2. This matter, including but not limited to all pending motions, is STAYED until May
13 1, 2020.
- 14 3. The parties must file a joint status report on or before May 1, 2021, to update the
15 Court on the status of the case.
- 16 4. The Clerk is DIRECTED to statistically close this case.

17 DATED this 8th day of February 2021.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE